

**MINUTES FOR THE COURT OF APPEAL
STATE OF CALIFORNIA
SECOND APPELLATE DISTRICT**

May 18, 2005

DIVISION TWO

B178321 People (Not for Publication)
v.
Rios

The Court:

The judgment is affirmed.

Boren, P.J., Doi Todd, J., Nott, J. (Assigned)

126890-05

The **HONORABLE Michael G Nott**, , Retired Associate Justice of the Court of Appeal, Second Appellate District, Division Two, is hereby assigned to assist the Court of Appeal, Second Appellate District, Division Two, as a justice thereof, on the following dates:

June 1, 2005 to June 30, 2005

and until completion and disposition of all causes and matters submitted pursuant to this assignment including, if necessary by reason of a vacancy or disqualification of a Court of Appeal justice, all petitions for rehearing arising out of such causes and matters.

This assignment does not extend to any matter in which the panel would be composed of two justices pro tempore.

Dated: May 18, 2005

Ronald M. George
Chief Justice of California and
Chairperson of the Judicial Council

DIVISION THREE

B169637 Beven-Herron, Inc.
 v.
 Patrick McRae Insurance Services.

Filed order vacating submission order of April 27, 2005. The parties are given the opportunity to present their views on the issues present in the order. The cause will be resubmitted on June 27, 2005, upon the filing of the last supplement brief request by the court.

DIVISION SIX

B178225 Santa Barbara Co. Child Welfare Services (Not for Publication)
 v.
 Frank R.
 In re Angelique R., et al.

The order of the juvenile court is affirmed.

Gilbert, P.J.

We concur: Yegan, J.
 Coffee, J.

B173846 People (Not for Publication)
 v.
 Calunga

The judgment is affirmed.

Perren, J.

We concur: Gilbert, P.J.
 Yegan, J.

May 18, 2005 (Continued)

DIVISION SIX (Continued)

B176231 People (Not for Publication)
v.
Sierra

The judgment is affirmed.

Perren, J.

We concur: Gilbert, P.J.
 Coffee, J.

B180334 People (Not for Publication)
v.
Mabb

The judgment is affirmed.

Coffee, J.

We concur: Gilbert, P.J.
Yegan, J.

B178371 Starkman (Certified for Publication)
v.
Starkman

The judgment is affirmed. Appellant to bear costs on appeal.

Gilbert, P.J.

We concur: Yegan, J.
Coffee, J.

B180178 People
v.
Murphy

Filed order denying petition for rehearing.

May 18, 2005 (Continued)

DIVISION SEVEN

B173839 People (Not for Publication)
v.
Ross

The judgment is affirmed.

Perluss, P.J.

We concur: Woods, J.
Zelon, J.

B175006 People v. Cuevas (Not for Publication)
B180832 In re Roberto Cuevas on Habeas Corpus

The judgment is affirmed. The petition for habeas corpus is denied.

Perluss, P.J.

We concur: Johnson, J.
 Zelon, J.

B167590 Zabucky et al., (Certified for Publication)
v.
McAdams, et al.,

The judgment is reversed. Appellant(s) to recover costs.

Woods, J.

I concur: Johnson, J.
I dissent: Perluss, P.J. (Opinion)

DIVISION SEVEN (Continued)

B177159 Los Angeles County, D.C.S. (Not for Publication)
 v.
 Scott S.

The judgment is affirmed.

Perluss, P.J.

We concur: Johnson, J.
 Woods, J.

DIVISION EIGHT

B165944 Howard, (Certified for Publication)
 v.
 Muir,

The order denying Howard's motion is affirmed. The present value of \$2,095,000 for Padilla's future medical payments stands undisturbed. Respondent to recover her costs on appeal.

Rubin, J.

We concur: Cooper, P.J.
 Flier, J.

B171770 People (Not for Publication)
 v.
 Conlin

The judgment is affirmed.

Rubin, J.

We concur: Cooper, P.J.
 Flier, J.

May 18, 2005 (Continued)

DIVISION EIGHT (Continued)

[illegible]

The superior court clerk is directed to issue an amended abstract of judgment reflecting a sentence of 60 years to life comprised of two consecutive terms of 25 years to life on counts 1 and 2, plus consecutive five years on each of two Penal Code section 667, subdivision (a)(1) enhancements. In all other respects, the judgment is affirmed.

Rubin, Acting P.J.

We concur: Boland, J.
 Flier, J.

B177113 People
v.
Arellano

Filed order vacating submission order of 2/24/2005. On April 7, 2005, the California Supreme Court heard arguments in People v. Black, No. S126182. The Supreme Court's opinion in that case may affect the resolution of some of the issues presented here. Cause resubmitted as of this date.